



August 13, 2004

The Honorable Donald L. Evans
c/o Mr. Rolland A. Schmitten
Director, Office of Habitat Conservation
NOAA National Marine Fisheries Service
F/HC 1315 East-West Highway
Silver Spring, MD 20910

Dear Secretary Evans:

I write you today to urge you to respond immediately to the request for protecting deep sea corals as set out in 69 Fed. Reg. 32991 (June 14, 2004). Deep sea corals are slow-growing, long-lived species threatened by expansion of bottom trawling into new waters and depths. These corals provide important benthic habitat essential for breeding, growing, feeding, and resting. They warrant immediate protection from bottom trawling.

The seafloor is not one homogenous stretch of sand. It is a mixture of a variety of habitat types, all of which play different roles to diverse benthic marine species. While habitats such as sand and mud may be able to recover from disturbance, deep sea corals are much more vulnerable. While they thrive in areas where strong currents carry nutrients to feed them, when deep sea corals are confronted with fishing gear that can weigh several tons, they are defenseless. Acres upon acres have already been turned to rubble by bottom trawls. Once they are demolished, their slow-growth rates of millimeters to centimeters per year prevent fast recovery. In fact, they may never recover, as other species may move in, or there may not be sufficient coral spawning in other locales to act as a source of replenishment.

We already have evidence of what happens when bottom trawls fish in deep sea coral habitats; Oculina Banks off northeast Florida has been 90-99% destroyed by the fishing gear and other sources of impact. The grouper that once congregated in large spawning aggregations above the *Oculina vericosa* corals have been smaller and less productive since the destruction. It is only after intensive coral restoration efforts that the groupers have begun to return. Grouper populations in the southeast have suffered from overfishing and poor management. The pulverization of their prime breeding habitat is one of the factors preventing their recovery. Oculina Banks is a warning of what can happen if bottom trawls and other threats to deep sea corals are allowed to proceed without regard to corals.

Commercially and recreationally important fish species, in addition to countless fish and invertebrate species important to the deep sea marine ecosystem, are threatened with overfishing

and other stresses. Without their preferred habitats, some species may be unable to recover from low population levels. The approach suggested in the Rulemaking Petition would afford these species a greater chance of surviving and thriving without placing an undue economic burden on bottom trawl fishers.

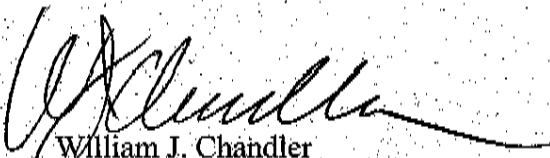
By allowing bottom trawling to continue to expand into new territory without first identifying whether deep sea corals are present, we are losing an important chance to protect deep sea corals and also the species that use and rely on them. The provisions contained in the Petition would prevent needless destruction without hurting fishers. In addition to gathering more information, the Petition advocates restricting bottom trawls to the footprint they have already impacted. This restriction would allow fishers to continue to receive income from areas that have already been damaged or destroyed, and prioritize as yet in-tact deep sea corals for protection and research.

Currently, deep sea corals may be protected from fishing under the Essential Fish Habitat/Habitat Area of Particular Concern regulations. However, few regional fishery management councils have acted to protect deep sea corals using the HAPC process. Even when deep sea coral habitats are designated as HAPCs, protections are not always put in place. Rather than allow additional acres of deep sea corals to be turned into barren rubble, I urge you to take immediate action to implement the provisions suggested in the Petition. Such action would provide needed consistency, research priorities, and protection to deep sea corals and the species that live in and depend on them.

Bills have been introduced in both the House and Senate to achieve objectives similar to those of the Petition. Over 1,400 scientists from countries around the world have called for similar action. The United Nations Environment Programme advocates protection of deep sea corals and seamounts on the high seas. The public has submitted thousands of comments to congressional and administration offices in support of protection of deep sea corals. Implementing the provisions of the Petition would respond to all of these calls for action while having a very limited negative economic impact on bottom trawlers. The overall economic gains to be had from protection far outweigh the desire for "clearcutting" these "forests" of the sea. Such destruction would not have been tolerated for this long on land. The public and the scientific community are now making their voices heard on the need to ensure the survival of deep sea corals throughout U.S. waters and around the world. It is time to take this most necessary, reasoned, and moderate action with all haste.

Again, I fully support this Petition, and thank you for taking the time to consider my comments.

Sincerely,



William J. Chandler
Vice President